

MONICA T. GUIZAR, SBN 202480
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
800 Wilshire Boulevard, Suite 1320
Los Angeles, California 90017
Tel: (213) 380-2344
Fax: (213) 443-5098

Attorneys for SEIU, UNITED HEALTHCARE WORKERS-WEST

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

REGION 31

PRIME HEALTHCARE SERVICES –)	
ENCINO, LLC d/b/a ENCINO HOSPITAL)	
MEDICAL CENTER TECHNOLOGIES,)	Case Nos. 31-CA-066061;
INC.,)	31-CA-070323;
)	31-CA-080554;
Respondent,)	21-CA-080722
)	
SEIU LOCAL 121RN,)	
)	
Union,)	
and)	
)	
SEIU, UNITED HEALTHCARE)	
WORKERS-WEST,)	
Union,)	
)	
PRIME HEALTHCARE SERVICES –)	
GARDEN GROVE, LLC d/b/a/ GARDEN)	
GROVE HOSPITAL AND MEDICAL)	
CENTER,)	
)	
Respondent,)	
)	
SEIU, UNITED HEALTHCARE)	
WORKERS-WEST)	
)	
Union.)	
)	

CROSS-EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

Charging Party takes exception to the Remedy and Order at pages 27 - 29 of the Decision of the Administrative Law Judge:

EXCEPTIONS

No.	Page	Exceptions
1.	27:1-15	To the remedy in that it is inadequate.
2.	27:20-29:35	To the Order in that it is inadequate.
3.	28:15-18	To the Order in that it requires posting electronically only if “Respondent customarily communicates with its employees by such means.” Respondents should be required to communicate through any communication system if at any time they communicate using that system regarding any issue concerning the workplace.
4.	29:23-26	To the Order in that it requires posting electronically only if “Respondent customarily communicates with its employees by such means.” Respondents should be required to communicate through any communication system if at any time they communicate using that system regarding any issue concerning the workplace.
5.	28:10-24	The Respondents should be required to mail the Notice and the Decision to all employees who have left the company at any time since March 31, 2011 for any reason. Furthermore, the Notice should be mailed by UPS or United States Postal Service and not FedEx or any other anti-union service.
6.	29:28-31	The Respondents should be required to mail the Notice and the Decision to all employees who have left the company at any time since March 31, 2011 for any reason. Furthermore, the Notice should be mailed by UPS or United States Postal Service and not FedEx or any other anti-union service.
7.	27:20-29:35	For the failure of the Order to require that the Notice be read at group meetings and that the Notice be read to employees when they are covered or reviewed with respect to any employer policies on at least two occasions. Further the Notice should be read by Union officers without management present with an opportunity to explain the Order and Decision.
8.	27:20-29:35	To the extent that Respondents post the Notices on its electronic communication system at its facilities in Encino, California and Garden Grove, California, it should also be required to notify the employees by way of email or other electronic communication that the Notice is

No.	Page	Exceptions
		available for their review on paid work time. The decision should also be posted.
9.	27:20-29:35	To the failure of Decision to make it clear that employees may read the Notice on paid work time and they are not required to read it on their own time.
10.	27:20-29:35	To the failure of the Decision to recommend that the Notice be posted for at least the length of time when the unfair labor practices began until the Notice is posted. A 60-day Notice posting is inadequate.
11.	27:20-29:35	To the Notice. The Notice should have an affirmative statement as to the violations of law found. "We will not" language is inadequate.
12.	27:20-29:35	To the failure of ALJ to recommend that the Employers be required to post the Board's Employer Poster which was proposed by the Board to be required to be posted by Employers. That Notice should be posted for 5 years in all worksites. See Notice at http://www.nlr.gov/poster
13.	Appendix A	To the Notice. To the inclusion of the words "choose not to engage in any of these protected activities," since there was no interference with the disability allowed by law of the employees to refuse or fail to participate in protected or concerted activity.
14.	27:1-15	To the remedy in its entirety. To the failure of ALJ to recommend a broad order that Respondents be prohibited from interfering with the Section 7 rights of any employee in any manner at any time at any place.
15.	28:40-42	To the failure of ALJ to recommend that the Respondent Garden Grove Hospital and Medical Center be prohibited from engaging in "any manner" rather than "any like or related manner" from violating any rights guaranteed by Section 7.
16.	27:31-33	To the failure of ALJ to recommend that the Respondent Encino Hospital and Medical Center be prohibited from engaging in "any manner" rather than "any like or related manner" from violating any rights guaranteed by Section 7.

Dated: January 8, 2015

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ Monica Guizar
MONICA GUIZAR
Attorneys for SEIU, UHW – West

PROOF OF SERVICE

I am a citizen of the United States and an employee in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is 800 Wilshire Boulevard, Suite 1320, Los Angeles, California 90017. On January 8, 2015, I served upon the following parties in this action:

John Rubin, Board Agent
NLRB, Region 31
11150 West Olympic Boulevard, Suite 600
Los Angeles, CA 90064-1824
E-mail: John.Rubin@nrlb.gov

David Adelstein
Bush Gottlieb Singer Lopez Kohanski
Adelstein & Dickinson
500 North Central Avenue, Suite 800
Glendale, CA 91203-3345
E-mail: davida@bushgottlieb.com

Colleen Hanrahan
DLA Piper LLP
500 Eighth Street, NW
Washington, D.C. 20004
E-mail: colleen.hanrahan@dlapiper.com

Joseph A. Turzi
DLA Piper LLP
500 Eighth Street, NW
Washington, D.C. 20004
E-mail: joe.turzi@dlapiper.com

Richard Ruppert
SEIU United Healthcare Workers-West
5480 Ferguson Drive
Los Angeles, CA 90022-5119
E-mail: richardruppert@mac.com

Jonathan Cohen
Rothner, Segall & Greenstone
510 South Marengo Avenue
Pasadena, California 91101-3115
E-mail: jcohen@RSGLABOR.COM

Pamela Chandran
General Counsel
SEIU Local 121RN
1040 Lincoln Avenue
Pasadena, CA 91103
E-mail: chandranp@seiu121rn.org

Copies of the document(s) described as:

**SEIU UHW-WEST'S CROSS-EXCEPTIONS TO THE DECISION OF THE
ADMINISTRATIVE LAW JUDGE**

- [X]** BY ELECTRONIC SERVICE: By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from mgarion@unioncounsel.net to the email addresses set forth above.

I certify under penalty of perjury that the above is true and correct. Executed at
Los Angeles, California, on January 8, 2015.

/s/ Melanie Garion
Melanie Garion